

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Jeremy BARKER, *et al.*

Serial No.: 09/484,799

Filed: January 18, 2000

For: Lithium-Based Active
Materials and Preparation
Thereof

Group Art Unit: 1745

Examiner: Chaney, Carol Diane

Atty. Ref.: VT-1869 (006181.00001)

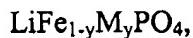
DECLARATION OF M. YAZID SAIDI

The Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, M. Yazid Saidi, hereby declare that:

- 1) I, along with Jeremy Barker, am a joint-inventor of the above-captioned application.
- 2) The present application claims a compound with the general formula



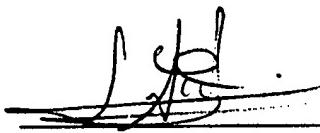
wherein M is selected from the group consisting of Be, Mg, Ca, Sr, Ba, and mixtures thereof; and wherein $0 < y < 1$. Claims directed to electrodes and batteries comprising the above-stated composition are also provided.

- 3) The batteries in which the claimed compound is applicable can be used in large format applications, e.g. batteries for electric vehicles.
- 4) The claimed compound exhibits a high level of safety as compared to competing technologies, e.g., lithium-ion batteries containing lithium cobalt oxide and the like.

5) The claimed compound provides substantially improved high-temperature performance and thermal stability over previously known rechargeable lithium-ion batteries, including higher energy density (Wh/kg), in addition to enhanced cycling.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



M. Yazid Saidi
Valence Technology, Inc.

November 5, 2002

Date